GOVERNMENT OF INDIA
MINES
LOK SABHA

UNSTARRED QUESTION NO:2340
ANSWERED ON:23.08.2013
MMDR BILL
Rathwa Shri Ramsinhbhai Patalbhai

Will the Minister of MINES be pleased to state:

(a) whether the Mines and Minerals (Development and Regulation) Bill, 2011 is under consideration of the Government;

(b) if so, the salient features and present status thereof;

(c) whether the Government has received any representation against certain provisions of the bill;

(d) if so, the details thereof; and

(e) the time by which the bill is likely to be passed?

Answer

THE MINISTER OF MINES (SHRI DINSHA PATEL)

(a) and (b): The Mines and Minerals (Development and Regulation) Bill 2011 (MMDR Bill) was introduced in the Lok Sabha on 12.12.2011 which was then referred to the Standing Committee on Coal and Steel (Standing Committee) for examination and report on 05.1.2012. The Standing Committee submitted its 36th Report on the MMDR Bill on 07.5.2013. The recommendations made by the Standing Committee on the MMDR Bill are under consideration in the Ministry.

The salient features of the MMDR Bill, inter-alia, are as follows:-

(i) It provides for a simple and transparent mechanism with clear and enforceable timelines for grant of mining lease or prospecting licence through competitive bidding in areas of known mineralization, and on the basis of first-in-time in areas where mineralization is not known,

(ii) It enables the mining holders to adopt the advanced and sophisticated technologies for exploration of deep-seated and concealed mineral deposits, especially of metals in short supply through a new concession,

(iii) It enables the Central Government to promote scientific mineral development through Mining Plans and Mine Closure Plans enforced by a central technical agency namely the Indian Bureau of Mines, as well as the Regulatory Authorities and Tribunals,

(iv) It empowers the State Governments to cancel the existing concessions or debar a person from obtaining concessions in future for preventing illegal and irregular mining,

(v) It empowers the Central and State Government to levy and collect cess,

(vi) Establishment of the Mineral Funds at National and State level for funding activities pertaining to capacity building of regulatory bodies like Indian Bureau of Mines and for research and development issues in the mining areas,

(vii) It provides for reservation of mineral bearing areas for the purpose of conservation of minerals,

(viii) It enables the registered co-operatives for obtaining mineral concessions on small deposits in order to encourage tribals and small miners to enter into mining activities,

(ix) It empowers the Central Government to institutionalize a statutory mechanism for ensuring sustainable mining with adequate concerns for environment and socio-economic issues in the mining areas, through a National Sustainable Development Framework,

(x) It provides for establishment of the National Mining Regulatory Authority which consists of a Chairperson and not more than nine members to advise Government on rates of royalty, dead rent, benefit sharing with District Mineral Foundation, quality standards, and also conduct investigation and launch prosecution in cases of large scale illegal mining,

(xi) It provides for establishment of the State Mining Regulatory Authority consisting of such persons as may be prescribed by the State Government to exercise the powers and functions in respect of minor minerals,

(xii) It provides for establishment of a National Mining Tribunal and State Mining Tribunals to exercise jurisdiction, powers and authority conferred on it under the proposed legislation,

(xiii) It empowers the State Governments to constitute Special Courts for purpose of providing speedy trial of the offences relating to illegal mining, and

(xiv) It empowers the Central Government to intervene in the cases of illegal mining where the concerned State Government fails to take action against illegal mining,

(xv) It provides for stringent punishments for contravention of provisions of the proposed legislation.

(c) to (e): The Ministry has sought comments of various Central Ministries / Departments, and of all State Governments & Union Territories on the Report of the Standing Committee on the MMDR Bill. The Government will move an official amendment(s) to the Bill after considering the recommendations of the Committee. The Government, however, cannot comment on the time by which the MMDR Bill is likely to be passed by the Parliament.